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**Society and  
Mental Health**

# The 39 Steps: Realising the potential of Flex Plus working for disability inclusion

Catherine Hale, Kim Hoque and Ben Baumberg Geiger, March 2025



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# Executive summary

## Executive summary

Most policy proposals aimed at improving tackling disability and health-related worklessness focus on employment support or social security. However, in this report, we argue that this also requires greater consideration of the design of work itself, especially regarding flexible working arrangements. In particular, we argue that this will involve what we term 'Flex Plus' working (a combination of remote working, worktime flexibility, and part-time hours). Surprisingly little research has looked at the potential of these forms of flexible working to reduce the inequalities experienced by people with health conditions and disabilities.

In this report, we explore the potential of – and barriers to – Flex Plus working as a way of increasing disability inclusion, drawing on interviews and focus groups with 27 organisational leaders, line managers, HR managers, DEI/DERG leads and researchers/consultants. We focus in particular on people with fluctuating and energy-limiting conditions (FELCs), who represent a large sub-group of disabled people for whom flexible working is particularly important, although there is much evidence that Flex Plus working will be of importance to people with health conditions and disabled people more broadly. Focusing in particular on employees in desk-based roles (given the greater likelihood of being able to work from home within such roles), we explore both the potential and barriers to Flex Plus working both for existing employees who develop a FELC, and also for new entrants to the organisation.

### **Barriers to Flex Plus for existing employees**

We find that there is considerable understanding among our respondents of the Flex Plus concept, with many arguing that it has the potential to retain valuable existing employees as well as building wider employee loyalty. However, the interviews revealed five operational and cultural barriers that often result in Flex Plus arrangements not being granted.

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First, regarding **organisational culture**, while flexible working practices have increased following Covid-19, many organisations retain a 'flex as compliance' organisational culture, where flexible working is only accorded to employees to comply with legislation rather than because of its potential benefits. In such instances, flexible working options are often standardised to ensure 'fairness', but tend to be designed around the needs of working families rather than disabled people. Other organisations, though, have developed a 'flex as opportunity' organisational culture, aimed at leveraging the benefits of post-pandemic changes by offering flexibility to everyone.

Second, **the nature of the job matters** – it is easier to apply Flex Plus working to some job roles than to others. For example, working from home was widely felt to be viable for many desk-based roles, but not, for example, for customer-facing roles requiring interpersonal or face-to-face interaction. Worktime flexibility was considered difficult to introduce where there is a high interdependency between team members, hence if one team member is unable to complete their tasks within a set timeframe this will have knock-on effects for the rest of the team.

Third, some respondents highlighted **dilemmas in creating part-time roles**. This was particularly: in smaller organisations or teams where there were concerns it would place too much burden on other employees; in teams with tight deadlines; and for employees with essential specialist skills. Nevertheless, even accounting for these difficulties, some organisations proved more effective in creating part-time roles than others; for some organisations it was 'business as usual' to carve out certain tasks/workload and redistribute this to other employees.

Fourth, **not all employees are treated equally**. Crucially, managers are unlikely to grant Flex Plus arrangements to employees that they do not trust to perform at a high level when working remotely and at atypical times. However, it can be hard for workers with FELCs to demonstrate they warrant this trust, as they may only be able to perform at a high level if accorded Flex Plus arrangements in the first instance. Flex Plus working was also less likely to be granted to workers lacking market leverage in the form of valuable and unique skills, or to workers lacking self-advocacy skills.

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Fifth, **line manager capabilities are critical**. While awareness of mental ill-health and neurodiversity has improved, it seems that many managers do not understand the particular needs of people with FELCs. Also important is for managers to understand how to create part-time roles, particularly in terms of envisioning work tasks around employee capability rather than trying to impose a standard full-time model onto all employees. Managers also require skills in managing remote workers more generally, particularly outcomes-based monitoring of performance.

### Barriers to Flex Plus for new hires

We found that while Flex Plus working is available at least in some instances to established employees, **employers are unlikely to provide Flex Plus working arrangements to new hires**. In explaining why this is the case, our respondents indicated that all five barriers outlined above also apply to new hires. However, they also indicated an additional four barriers:

1. A lack of clarity for candidates over whether, or when, the employer might welcome negotiations about flexible working arrangements during the hiring process;
2. An unwillingness to advertise jobs as part-time, sometimes from a perception that there is no demand for part-time roles, and sometimes because of the perceived additional costs of providing such roles;
3. The 'unproven' nature of new hires, when compared to trusted existing employees with proven and valued skills;
4. The unintended consequences of diversity hiring practices, which inhibit conversations about health and disability during recruitment.



### Recommendations for a more inclusive labour market

These barriers to Flex Plus arrangements have significant policy implications, particularly given need for such arrangements in increasing the employment rates of people with FELCs (and potentially large numbers of other disabled employees). However, we argue that these barriers are not intractable. As such, we offer 39 recommendations (hence the report's title, 'The 39 Steps') aimed at addressing these barriers to Flex Plus working.

### *Recommendations to employers regarding existing workers who develop FELCs*

**Establishing the business case for Flex Plus:** there is little to be gained from just exhorting employers to implement Flex Plus working. Instead, organisational leaders need to appreciate and promote the business case for doing so regarding reduced labour turnover, skill retention, and a wider labour pool for new hires. However, it is also necessary for Government to help motivate employers to act, as we return to below.

**Getting organisational culture right:** Employers need to move away from a culture of 'flex as compliance', in which flexibility is largely only offered to meet legislative requirements, and move towards a culture of 'flex as opportunity' in which flexibility is the default position for all employees and is seen as having positive business implications. This also involves – where the nature of the job permits – moving away from set start and finish times, establishing digital diary management tools, and allowing worktime flexibility over the course of the working week. It is important that flexibility becomes the norm – partly to minimise inequalities, but also to ensure that Flex Plus jobs feel 'fair' to everyone.

**Flex Plus as a 'reasonable adjustment':** Ideally, Flex Plus working would be embedded within the organisation as the norm for everyone – but we recognise that this may not always be possible. In these cases, it is important that Flex Plus working is seen as a 'reasonable adjustment'. To make this a reality, employers should: provide clear information to employees about adjustments available to them; ensure that standard HR software takes into account the forms of flexible working associated with Flex Plus (and not just family-friendly flexibility); and ensure all employees can access adjustments when needed. Employers also need to see adjustments as essential for maximising job performance rather than as unfairly positive treatment.

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We make three further sets of recommendations regarding existing employees. First, given the importance that employers feel able to trust employees to work remotely and at atypical times, they should **provide workers with opportunities to demonstrate they are worthy of this trust**, for example by offering trials of Flex Plus arrangements. Second, **line managers should receive the necessary training**, partly to increase their understanding of FELCs and partly to help them manage flexible workers more effectively. Finally, employers need to **monitor outcomes and improve practice over time** by measuring and reporting annually the percentage of their workforce that is disabled (thus allowing them to identify whether their practices have the desired effect) and by identifying and indexing the roles within their organisation that are more suited to flexible working.

### *Recommendations to employers regarding new hires*

Many of the recommendations outlined above also have implications for the introduction of Flex Plus for new hires. However, there are also some **further steps that employers could take specifically around recruitment**, including: expanding their offer of flexible working as a talent attraction strategy; stating flexible working options in job adverts; and being clear of how/when applicants can raise flexible working requests. We also recommend that employers offer Flex Plus to new hires on a probationary basis, and evaluate the level of demand for part-time roles.

### *Recommendations to Government*

Most of our recommendations are to employers, but Government action is also crucial. **The Government should help incentivise employers to implement Flex Plus working** by introducing a requirement for all employers with 250+ employees to report the percentage of their workforce that is disabled, as well as exploring mechanisms for cost sharing of sickness absence. **The Government should also contribute to better understanding of Flex Plus**, e.g. commissioning research on the business case for Flex Plus and on best practices in creating part-time roles.

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Finally, we make three wider recommendations. First, there is also scope for the government to **co-ordinate a major Flex Plus trial**. Second, the fortunes of people with FELCs, as one category of disabled people, will be significantly improved if the government implements robust disability employment policies more broadly. We therefore recommend the government implements the proposals outlined in the **Disability Employment Charter**. Beyond this, our report makes clear the many continuing barriers people with FELCs encounter in obtaining and remaining in employment. Given this, the government should ensure that people with FELCs (and disabilities more broadly) who are excluded from the labour market owing to workplace barriers are provided with a **decent, secure standard of living** by the social security system.

# Our starting point

## Our starting point

*Most of my working age life has been spent in what economists call 'economic inactivity'. This was not because I lacked educational qualifications or the motivation to work. It was, and still is, because my chronic health condition severely limits the amount and the predictability of the work I can do, and no jobs or career paths seemed to accommodate my need to work from home on very reduced and irregular hours. Research has led me to discover that many others share my predicament. However, the world of work has evolved and many of the flexibilities I and others need are now achievable. This is the starting point for my research with employers into flexible working and the inclusion of people with long term health conditions and disability in the labour market.*

**Catherine Hale**, lead author, and founder of Chronic Illness Inclusion

01

# Introduction

Over 8 million working-age people in Britain report a work-limiting health condition,<sup>1</sup> and nearly 3 million are out-of-work<sup>2</sup> for health-related reasons.<sup>3</sup> While there is some debate about whether health-related worklessness has really risen since Covid-19,<sup>4</sup> it is clearly a major economic and social issue that is central to the Government's aims to meet its target for 80% of the working age population to be in work. The case for planning a world of work that does not exclude disabled people and people with health conditions has therefore never been stronger.

However, disabled people still face stark work-related inequalities, reporting lower levels of job satisfaction and fair treatment than non-disabled people<sup>5</sup>, and experiencing a pay gap of 12.7%.<sup>6</sup> In addition, they are 28 percentage points less likely to be in employment than their non-disabled counterparts.<sup>7</sup>

Most proposals about disability and work focus on the quality and availability of employment support, or rebalancing conditionality in the social security system. But as diverse bodies, minds, and embodied experiences are increasingly the norm, greater attention needs to be paid to the design and concept of work itself, and whether it reflects the realities of the current and future workforce. The Government's recent *Get Britain Working* White Paper, which launched an independent review led by Sir Charlie Mayfield into the role of employers in creating healthy and inclusive workplaces, recognises this.<sup>8</sup>

We argue that central to workplaces becoming more healthy and inclusive is that working arrangements must be sufficiently flexible to meet the needs of the whole workforce. A DWP survey published just as this report was going to press highlights this – over two-thirds of health and disability benefit recipients state that they would be unable to work full-time hours, or in a job with fixed shift times, or face barriers in travelling to work.<sup>9</sup>

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As such, in this report, we explore the role of flexible working in creating greater labour market opportunities for disabled people. Drawing on interviews with organisational leaders, line managers, HR managers, Diversity, Equity & Inclusion (DEI) leads and disability employee resource group (DERG) leads, we investigate the potential of what we refer to as 'Flex Plus' working (see just below), and the barriers to its implementation. We then provide a series of recommendations to both government and employers regarding how these barriers might be overcome.

Our analysis focuses in particular on people with fluctuating and energy-limiting conditions (FELCs), who represent a large sub-group of disabled people for whom flexible working is particularly important (see just below). The specific model of flexible working we explore (Flex Plus) is rooted in the lived experiences of health and work for disabled people with FELCs. We focus our inquiry on desk-based roles that can feasibly be carried out from home, given that (as outlined below) remote working is a key element of Flex Plus working.

Below, we summarise the existing evidence on flexible/remote working, before explaining both FELCs and introducing Flex Plus in more detail.

### **What do we know about flexible working and disability inclusion?**

There is a wide range of flexible working practices, including working from home as well as time-based flexibilities such as adjusted start and finish times, extended rest breaks, flexibility to distribute working hours across the course of the day or the week, and annualised hours. However, surprisingly little research has been conducted on the potential for these forms of flexible working to redress the inequalities experienced by disabled people and people with health conditions.



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Flexible working is, of course, not a disability-specific practice but an accommodation sought by many groups of employees for diverse reasons, and there is considerable evidence on the role of flexible working in reducing gender- and care-related inequalities.<sup>10</sup> However, flexible working is also important for disabled people, with disabled employees being as likely as,<sup>11</sup> if not more likely than,<sup>12</sup> non-disabled employees to state that they require flexible working time arrangements, and significantly more likely to state that they require working from home.<sup>13</sup> Among workplace accommodations for disabled employees, flexible working time is top of disabled employees' requirements, followed by working from home.<sup>14</sup>

The limited research that has been conducted on this matter suggests that flexible working arrangements are associated with better employment outcomes for disabled people. For example, a large European study found that flexible working schemes and policies are associated with higher levels of job satisfaction and lower absenteeism among disabled employees.<sup>15</sup> A recent UK study found that disabled employees with low levels of job control and limited access to flexible working arrangements are nearly four times more likely to leave the workforce if their health deteriorates than those working flexibly.<sup>16</sup>

The impact of working from home, though, is more complex, and has been studied to a greater extent than other forms of flexibility. Working from home has been promoted as a viable workplace accommodation for disabled people since the 1990s,<sup>17</sup> but it was mainly as a result of the dramatic shift to home working during the Covid -19 pandemic that hopes of a 'silver lining'<sup>18</sup> for disabled people's employment opportunities grew.

## Chapter 01. The need for change

It is often argued that working from home has the potential to reduce the barriers to employment disabled people experience regarding inaccessible workplaces and transport systems.<sup>19</sup> However, research highlights two other key benefits that are less often recognised:

1. **Managing fatigue/pain:** large scale surveys of disabled employees<sup>20</sup> and a qualitative study conducted during lockdown<sup>21</sup> suggest that the overriding benefit of working from home is in managing or mitigating fatigue and pain, particularly in terms of saving energy that would otherwise be spent on commuting and navigating access barriers in the working environment (whether physical, sensory or psychological). This benefit is reported by employees regardless of whether they have an impairment that is medically associated with fatigue or not (e.g. neurodivergent employees).
2. **Worktime flexibility:** the other common benefit for disabled people of working from home is that can facilitate worktime flexibility.<sup>22</sup> The home environment can allow for greater control over work organisation, and in turn flexibility regarding working time, which can help accommodate reduced work pace, necessary breaks, and a modified schedule.<sup>23</sup> Data from a US survey of nearly 400 disabled employees shows that working from home makes flexible scheduling twice as likely<sup>24</sup> and individuals who consider telework to be an accommodation are three times more likely to be able to schedule their work flexibly than those not working from home.<sup>25</sup>

However, these benefits come with a strong caveat: while remote working can help some disabled people, it is a barrier for others. The technology required for teleworking can pose accessibility barriers for people with visual impairment and hearing loss.<sup>26</sup> Online meetings in particular can present disabling barriers to communication for some disabled people,<sup>27</sup> not to mention 'zoom fatigue' affecting disabled and non-disabled employees alike.<sup>28</sup> In addition, home working arrangements can result in increased social exclusion and diminished social capital for disabled employees.<sup>29</sup> Thus, remote and hybrid working may bring benefits and opportunities to some, but not all, groups of disabled people.<sup>30</sup>

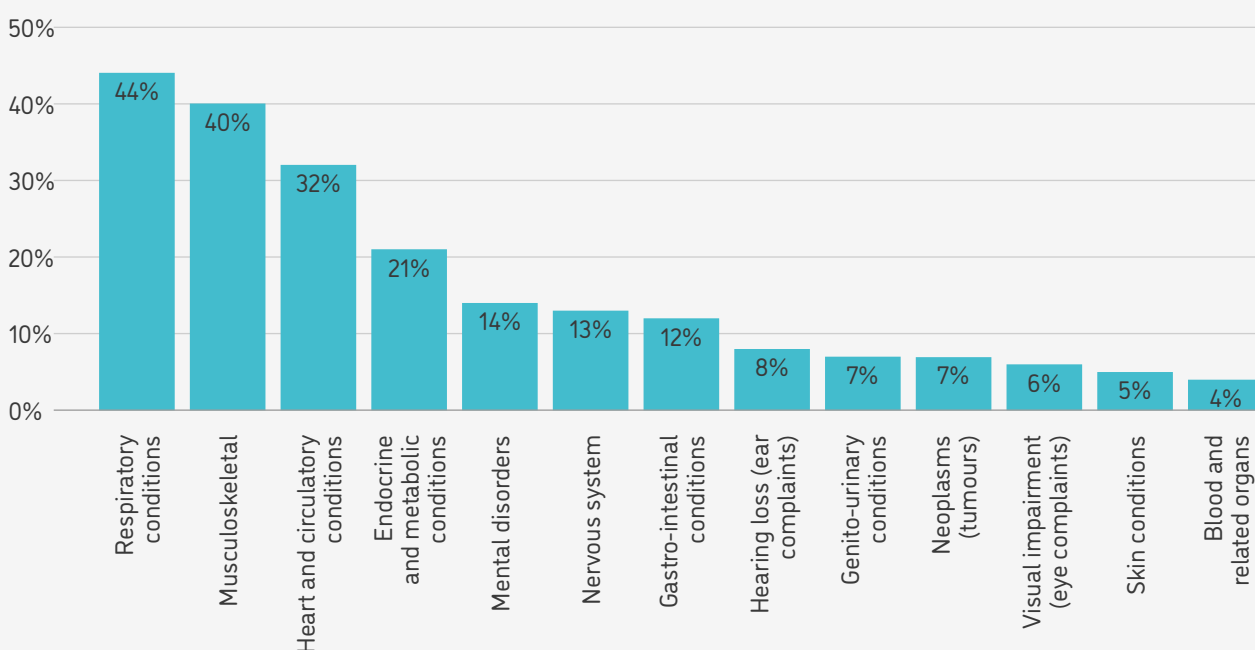
In summary, flexible working is crucially important for some groups of disabled employees. Also, different elements of flexible working frequently interact: for example, working from home can also facilitate time-based as well as location-based flexibility.

### Why do we focus on fluctuating and energy-limiting conditions (FELCs)?

We focus on one particular group of disabled people – those with fluctuating energy-limiting conditions (FELCs) – given that working from home and other forms of flexible working are likely to be particularly important for this group.

Energy-limiting conditions are common, with impairment of ‘stamina, breathing or fatigue’ being reported by 34% of disabled people in the UK.<sup>31</sup> ‘Energy-limiting’ refers to cognitive and emotional energy as well as physical energy (this is often referred to as ‘fatigue’, but more accurately defined as limited energy/energy impairment<sup>32</sup>). The medical literature demonstrates that fatigue is a strong predictor of people describing themselves as permanently work disabled,<sup>33</sup> and is among the most common, as well as the most disabling, symptoms of many chronic conditions and diseases.<sup>34</sup> The condition groups associated with ‘stamina, breathing or fatigue’ impairments are shown in Figure 1 below.

#### Conditions associated with impairment of ‘stamina, breathing or fatigue’



Source: authors' analysis of Health Survey for England 2014 – note that the total far exceeds 100% because respondents could select multiple condition types. Many thanks to Rebecca de Vanney for initially taking forward this work.

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Crucially, these energy-limiting conditions frequently fluctuate, with symptoms of fatigue, pain and distress varying over time. Fluctuations can occur over a range of timescales (e.g. over the course of an hour or a month), and variability is highly individualised, depending on how the condition impacts on the person. While we don't have any data just for people with energy-limiting conditions, the majority of disabled people report fluctuating limitations<sup>35</sup> with the vast majority (79%) of disabled employees in one UK survey saying their disability/condition fluctuates, and they cannot predict how they will feel most days.<sup>36</sup> Among those claiming incapacity benefits in the UK, around half have a fluctuating condition.<sup>37</sup>

Hence, Fluctuating Energy-Limiting Conditions (FELCs) are common but are relatively rarely studied or considered by policymakers. Many of the benefits and challenges around flexible working are shared with a wide group of people with health conditions and disabilities – but these issues are particularly acute for people with FELCs, hence the importance of focusing on them in exploring the potential of, and barriers to, flexible working.

### FELCs and the need for Flex Plus jobs

The combination of working from home and worktime flexibility has the potential to help many groups of disabled people obtain and remain in employment. Data collected in 2023 by the specialist employment support charity, Astriid<sup>38</sup> shows that this is particularly the case for people with FELCs. Our analysis of the 364 respondents with FELCs within Astriid's data shows:

- **Working from home:** 86% of respondents said that this would be necessary in helping them obtain and remain in employment, and 44% said 'hybrid working';
- **Worktime flexibility:** 83% said 'flexible start and finish times' would be necessary in helping them obtain and remain in employment; 78% said 'flexibility to determine my working hours within any given week'; 75% said 'flexibility to take long breaks during the working day and defer work to later in the day/evening'; and 65% said 'Flexibility to spread my working hours across multiple weeks rather than within one working week'.

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There is, however, a further dimension of flexible working that most people with FELCs (70%) said they would need – reduced hours (i.e. part-time) work. This is crucial, given that according to the Labour Force Survey, 32% of the 8 million people with a longstanding illness in the UK say they are limited in the *amount* of work they can do.<sup>39</sup> Disabled people are more likely to work part-time than non-disabled people, and this is often seen as evidence of labour market disadvantage, alongside low pay and job insecurity. However, reduced hours working is often an adjustment required by disabled people, in order to manage, save, and guard energy and remain in work.<sup>40</sup> For example, one study of disabled women found that reducing working hours was necessary for preventing further deteriorations in health.<sup>41</sup>

**Given this, we argue that the 'Flex Plus' model of employment has three main components – (i) flexibility regarding place of work, (ii) flexibility regarding working time, and (iii) the availability of reduced hours (part-time) working.**

The same three dimensions of flexibility are often cited by people with long term health conditions and disabilities more broadly when they are asked about the measures that would enable them to move into work. This includes a recent DWP survey of 3,401 people receiving health and disability benefits, which found:

- **Location:** 76% couldn't work because of travel-related barriers, vs. a quarter said they could work if the job was entirely from home.
- **Fluctuation:** 70% said their condition fluctuated too much to allow them to work, with just 18% saying they could do a job with fixed shift patterns.
- **Hours:** 66% needed to work part-time, including 39% who needed to work 16 hours a week or less.<sup>42</sup>

Qualitative research reveals very similar findings, whether among participants with FELCs,<sup>43</sup> or with a broader range of health conditions.<sup>44</sup>

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This is not to say that all people receiving health and disability benefits (or even all people with FELCs) require all three Flex Plus dimensions, nor would they all need them to the same degree. However, for many people with FELCs, all three elements of the model are likely to be necessary to enable them to obtain and remain in employment. The availability or otherwise of Flex Plus working is therefore likely to be a key determinant in the success of the *Get Britain Working* agenda.

### Are employers offering Flex Plus jobs?

Although no prior research has explored the adoption of the Flex Plus model in its entirety, earlier studies have explored its three component parts.

For example, regarding worktime flexibility, the Chartered Institute of Personnel and Development<sup>45</sup> reports that 34% of UK employees worked on a flexitime basis at some point during the preceding 12 months, with a further 12% saying that it was available at their workplace but they had not used it. Similarly, 29% of respondents had worked at home recently, with 8% saying that this was available to them but they had not used it. Reduced hours had been used by 12% of respondents, and was reported to be available but not used by 32%.

However, the availability of these forms of flexibility varies considerably by industry sector and job level. For example, working from home is most prevalent in the business services sectors with computer intensive tasks, such as ICT, professional and scientific activities, and finance and insurance.<sup>46</sup> It is also more widely available in higher-level occupational roles (managers and professionals) than elsewhere. Reflecting labour market disadvantage, disabled employees are underrepresented within such roles.<sup>47</sup>

Jobs market data also shows that flexible working is less available to jobseekers than to those already in work. A survey of 2,000 UK employees by the CIPD in 2023 found that 6 in 10 have some form of flexible working arrangement.<sup>48</sup> Yet only 31% of jobs advertised in the UK offer any form of flexible working.<sup>49</sup> Globally around 12% of employees worked fully from home in 2024, but at the point of hire the share of UK jobs advertised as fully remote in 2024 was just 0.5%.<sup>50</sup> Similarly, although 24% of UK employees work part-time,<sup>51</sup> part-time hours were offered in just 12% of job adverts in 2023.<sup>52</sup> Flexible times of work were offered in only 4% of job vacancies in 2023.<sup>53</sup>

## Chapter 01. The need for change

Prior research has also highlighted a number of reasons why flexible working is limited. Studies have suggested that even where flexible working is offered, employees who require it may be reluctant to take it up, with flexibility stigma – the notion that employees who use flexible working arrangements are less productive, motivated, and committed to their workplace than those who do not – being one reason why the take up of flexible working has not kept pace with the technological advancements that permit location flexibility.<sup>54</sup> Although most studies of flexibility stigma focus on women working flexibly to manage the boundary between work and family life, it might be anticipated that it will also impact the uptake of flexible working adjustments among disabled people with FELCs.<sup>55</sup>

In addition, although flexible working requests such as Flex Plus may fall under the right to reasonable adjustments in the Equality Act 2010, studies show that managers are sometimes reluctant to implement such accommodations given concerns regarding coworkers' perceptions of the unfairness of 'special treatment'.<sup>56</sup> Research has found such concerns regarding accommodations both for employees with mental health difficulties,<sup>57</sup> and also for employees with an episodic disability.<sup>58</sup>

A further factor that might limit employees with FELCs' access to Flex Plus is the ambiguous or hidden nature of such conditions, with HR practitioners responsible for managing and developing DEI initiatives being more likely to understand, and focus their efforts on, observable characteristics such as gender, race, or disabled people with visible impairments.<sup>59</sup>

However, in contrast to these potential constraints, recent developments offer the potential for widened access to Flex Plus working. Home working rose dramatically during the Covid-19 lockdowns and has remained high since, with the number of days worked from home across a range of sectors increasing fivefold since 2019.<sup>60</sup> This normalisation of flexible working received a boost from the UK Employment Relations Act, in force since April 2024, which strengthens employees' rights to request flexible working from day one in a job, and without giving a reason.



## Chapter 01. The need for change

For disabled employees, this legislation offers a potential additional pathway to accessing flexible working, over and above the right to reasonable adjustments enshrined in the Equality Act 2010. Moreover, it has the advantage of not requiring disabled people to disclose their health condition or disability, which they are often reluctant to do given genuine fears regarding career disadvantage and discrimination.<sup>61</sup>

Therefore, the aim of our research is to explore the potential for Flex Plus working to improve work-related outcomes for people with FELCs, and also to explore the barriers to its adoption. Given the figures outlined above showing the greater access to flexible working for existing employees within the organisation than for new hires, we explore these two groups of workers separately. We then offer recommendations to both employers and government regarding how the barriers to the adoption of Flex Plus working might be addressed.



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# About the research

## Chapter 2: About the research

The first stage of our research comprised interviews with organisational leaders, HR (human resources) and line managers, Diversity, Equality and Inclusion (DEI) leads, and disability employee resource group (DERG) leads. These interviews sought to investigate the potential for (and limitations of) Flex Plus working for increasing employment opportunities for people with FELCs, both for existing employees in the organisation and also for new hires. As mentioned above, we asked our respondents to focus on employees in desk-based roles, given these are the roles in which working from home (and hence Flex Plus working) is most likely to be possible.

We first explored whether employers grasped both the concept of FELCs and the rationale for Flex Plus working for people with FELCs. This was achieved through the presentation of vignettes of hypothetical job applicants needing Flex Plus arrangements (see Appendix). This led into discussion of whether and how an existing employee who developed a FELC could access Flex Plus working arrangements in the organisation, and the flexible working or disability inclusion policies, processes and practices in place to enable them to do so. To determine the barriers to the adoption of Flex Plus for such employees, we explored the situations in which the organisation would not provide Flex Plus roles and the factors explaining this decision, such as whether the benefits of providing Flex Plus working exceeded the perceived cost, and the suitability of Flex Plus to different roles within the organisation.

In evaluating the provision of Flex Plus arrangements for new hires to the organisation, we explored whether the barriers to its adoption applied equally to this group as to existing employees. We also explored further barriers including the stage in the hiring process at which requests for Flex Plus working were made (i.e. either before, during or after the hiring process), and the flexible working or disability inclusion policies within the organisation that facilitated the implementation of Flex Plus for new hires.

## Chapter 2: About the research

We were also interested in the ability of employers to provide each element (part-time working, home working and worktime flexibility) of Flex Plus jobs separately, hence we explored constraints to the adoption of each of these elements individually, as well as in combination.

Finally, to help formulate our recommendations, we explored what might be done to overcome the barriers to Flex Plus arrangements both for existing employees in the organisation who develop a FELC, and also for new hires with FELCs.

### Who did we speak to?

In the first phase of the research, we conducted 17 semi-structured interviews, lasting approximately 60 minutes, with respondents holding roles in UK organisations in either human resources (HR) (4), line management (7), Diversity, Equality and Inclusion (DEI) leadership (6) or leadership of a disability employee resource group (DERG) (3).<sup>62</sup> Twelve of these respondents were from large organisations (250+ employees), three were from medium-sized organisations (50-249 employees) and two were from small organisations (fewer than 50 employees). Seven were in private sector organisations, six in non-profit organisations and four in public sector organisations. The range of sectors represented included finance, logistics, retail, trade union, charity, higher education, local authority and central government. Six interviewees identified as disabled, among whom four shared personal experience of working flexibly to accommodate a FELC. Only three interviewees had no prior personal, professional or organisational interest in disability employment.

Recruitment to the study took place largely via the lead author's LinkedIn network, as well as via membership of the British Association for Supported Employment (BASE) and signatories to the Disability Employment Charter. It is likely that the participants that agreed to be involved in the research had prior interest or engagement in disability inclusion at work – and therefore the extent of their openness to the Flex Plus concept might be viewed as representing a 'best case scenario' rather than representative of all British employers.<sup>63</sup> Ethical approval for the study was provided by King's College London.

## Chapter 2: About the research

### Focus groups to develop policy recommendations

Once the interviews had been conducted, and an initial analysis of the data undertaken, three 90 minute focus group meetings were held with (in total) 14 expert stakeholders, with a view to helping develop insights into workable recommendations both for employers and for government. These stakeholders included people with lived experience, business leaders (in HR, DEI and DERG roles), disability employment researchers, and management consultants. The focus group participants received a summary of the interim research findings and discussed what actions are needed from both employers and government to increase opportunities for Flex Plus working for people with FELCs.

### How the data were analysed

Interviews were conducted via Microsoft Teams, recorded and transcribed. The transcripts were indexed to enable familiarisation with the data and identification of broad themes. These emergent themes formed the basis of a framework matrix,<sup>64</sup> in which data relating to each theme was summarised and subsequently compared across respondents. Interpretations from this framework method of analysis yielded insights on the issues in which we are interested (i.e. to explore the potential possibilities for Flex Plus working, and also to explore the barriers to realising its potential).

03

# Flex Plus for existing employees: possibilities and barriers

This chapter explores the potential for Flex Plus working arrangements for existing employees within an organisation that develop a FELC, and the barriers to implementing Flex Plus for such employees.

Encouragingly, all interview respondents recognised the challenges faced by employees who develop FELCs and understood the need for Flex Plus working arrangements in helping them remain in employment. Indeed, most identified someone they knew – a current or former coworker, a direct report or a personal connection – who worked flexibly to accommodate a FELC, whether through flexible start and finish times or by distributing reduced hours throughout the week, for example. Some noted that Flex Plus arrangements benefit other groups of employees too, especially neurodivergent employees, those transitioning to retirement and those with caring responsibilities.

Also encouragingly, all respondents who held line management or HR roles made a positive and clearly-argued case for introducing Flex Plus arrangements to retain employees who developed a FELC. This case was expressed most often in terms of the benefits to the organisation:

- **Protecting organisational assets and investment in people:** This argument was especially made regarding older, more experienced professionals who acquire conditions later in life and who hold *“skills, organisational knowledge, and institutional memory ... There is tremendous benefit to retaining their capacity in a stretched workforce. Losing these employees through failure of imagination is a colossal waste.”* (DEI lead, large third sector organisation)
- **Building employee loyalty, resulting in better individual performance:** For example, one HR leader argued *“we accept that, yeah, different people have different needs. And we want to accommodate them, so they feel loyal to the organisation... They feel they give something, but they get something as well.”* (HR lead, small third sector organisation).

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

There was also a moral and social justice case made for retaining employees who develop FELCs, expressed as a duty of care: *“We should be doing what we can to support this person with the challenges that they’re facing in their life... so let’s try and find a way to make it work.”* (Line manager, large third sector organisation). Reflecting this was a recognition that providing such support is important given that many (if not all) employees might need Flex Plus arrangements at some point in their working lives:

*“Actually, those [FELC] profiles will be all of us at some point in our life. Whether you break your leg, or you’ve got a long-term health condition, or whether you’re caring or whatever. Everybody goes through it”.*

HR lead, medium private sector organisation.

When asked about the extent to which organisations are implementing Flex Plus arrangements, two respondents with a FELC said they personally had Flex Plus arrangements in place, while two others with FELCs had two of the components but managed to work full-time thanks to the other flexibilities. However, regarding how far Flex Plus arrangements were available across their organisations more widely, some respondents said they knew of a few employees working this way, but most respondents did not know. This was because, in contrast to established forms of flexibility such as term-time working or compressed hours, Flex Plus was seen as a bespoke arrangement requiring individualised agreements which were often not centrally documented. This might be considered concerning, given it suggests a lack of consistent policies and protocols to determine when employees should be accorded Flex Plus arrangements, and no centralised repository of knowledge regarding how to implement it. This in turn suggests that access to Flex Plus is likely to vary considerably between employees in the same organisation.

**Recommendation 1:** When employees are offered Flex Plus arrangements, the organisation should document this and use this information to develop protocols regarding the circumstances in which such arrangements should be offered, and best practice in their implementation.

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

In general, however, the broad sentiment among respondents was that while there are certainly instances of Flex Plus working being offered to people with FELCs, this is not necessarily commonplace, hence there may be many employees who require such arrangements yet are not in receipt of them.

In explaining the limited extent of Flex Plus working, our respondents outlined a range of barriers to implementing it. These relate to organisational culture, the nature of the job, the feasibility of creating part-time roles, the employee's negotiating power, and line manager capabilities. The remainder of the chapter explains these barriers in turn and offers recommendations regarding how they might be overcome.

#### **Barrier 1: Organisational culture and 'fair flexibility'**

Several respondents said that a major constraint to Flex Plus working was the culture and attitudes embedded in their sector or organisation – or as one DEI lead put it, *“a mindset rather than a real reason”* (DEI Lead, large private sector organisation). This applied to all three elements of flexibility within Flex Plus.

For example, a participant from a higher education institution said their organisation refused to grant home working for teleworkable professional services roles because site-based and in-person service is core to its organisational values. Regarding reduced hours working, three respondents in finance said that in a culture of long hours and *“putting in over and above their time to hit a deadline”* (Line manager, large private sector organisation), a team member requesting to reduce their hours would be resented by coworkers. A respondent from the medical profession spoke of the strongly hierarchical nature of the profession, in which autonomy and flexibility are seen as a privilege earned through enduring years of demanding work with long hours, with the attitude of senior managers and professionals being: *“I had to do it this way, so you have to as well,”* (DEI lead, large third sector organisation). This respondent added that for people with a FELC starting out in the medical profession: *“The training is so rigid and attritional that if you started with a fluctuating condition, it can be very difficult”*



### Chapter 3. Flex Plus for existing employees: possibilities and barriers

However, as a result of the pandemic (and more recently the legal right to request flexible working from day one), most respondents thought there were now more opportunities for Flex Plus arrangements, or at least some of its components. This was partly due a cultural shift where working from home during lockdowns had become normalised, removing the “*suspicion that you weren’t really doing anything*” (Line manager, large third sector organisation).

Therefore, notwithstanding the subsequent efforts on the part of some business leaders to either encourage or compel their employees to return to the office, respondents felt that attitudes towards and perceptions of working from home have changed:

*“I think the pandemic experience demonstrated in real time, the fact that a lot of the myths around homeworking – as in we’d all be sat around in our pyjamas, eating toast and not doing any work – fundamentally didn’t come to pass.”*

DEI lead, large third sector organisation.

Some respondents noted that this cultural shift had also allowed for greater informal worktime flexibility. It has become increasingly accepted practice for employees to take time out of the working day for personal tasks and then make up the hours later on, as these experiences are now more widely shared. Thus, managers know that, while still performing their job roles to the expected standard, “*most people when they’re working from home are, you know, dog walking... picking up children*” (HR lead, medium private sector organisation).

Alongside this cultural shift, respondents suggested that there is now also a better infrastructure supporting remote working. For example, knowledge-based workers can now access digital diary management tools that signal periods of unavailability to coworkers.

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

Such practices benefit employees with a FELC because they facilitate informal worktime flexibility for health management without having to reveal the reason or face scrutiny over their pace of work and rest breaks, as would likely happen if taking breaks in a workplace environment. Thus, diary management tools mean:

*"There's no need to disclose why unless you feel like you want to. So, you know, one team member could have it in there because they've got a dentist appointment, whereas for another team member it could be that they have chronic fatigue, and they just need to weave in breaks."*

Line manager, large private sector organisation.

**Recommendation 2:** Employers should move away from set start and finish times to the working day (where possible), and establish digital diary management tools that enable employees to signal their periods of availability to their co-workers.

Yet not all organisations have embraced this increased flexibility, and some respondents were concerned about gains being reversed through the current wave of return-to-office mandates in high profile companies. As a lived experience expert commented in the focus group discussion: *"I think that disabled people who need these Flex Plus jobs are going to find it even more difficult."* A DEI for a large non-profit organisation (who themselves lives with a FELC) concurred:

*"People were able to work in a different way [during Covid-19]. And then found that that worked for them and enabled them to remain employed... Having long Covid and ME I'm one of them. And I think there are many people like me in this situation who post-Covid-19 can't readapt to those original work restrictions. If I didn't have flexibility now, I would be unemployed"*

DEI lead, large public sector organisation.

**Recommendation 3:** Organisational leaders should avoid blanket return-to office-mandates, because of the potential loss to the employer of valuable and scarce skills.

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

Respondents thus suggested that, since Covid-19, two broad organisational cultures have emerged in response to requests for flexibility – a more positive culture in which there is an acknowledgement of the benefits ('flex as opportunity') and a less positive culture characterised by return to work mandates in which remote working and flexibility is only offered to employees to comply with minimum legal requirements ('flex as compliance'). The following sections explore these two perspectives.

#### *Standardisation of flexibility: flex as compliance*

Common to the flex as compliance perspective is the view, reported by several respondents, that organisational leaders see the rise in working from home and the associated informal flexibility during lockdowns as an aberration that should be curtailed as far possible. A DEI lead of a large third sector organisation reported the views of some client organisations with whom they worked as: *"Well, [flexibility] could be done, but that was really exceptional, and we don't want to go back to that."*

The flex as compliance approach was therefore associated with return to office mandates specifying between two to four days per week in the office. For most organisations taking this approach, these mandates are non-negotiable:

*"It's always discussed upfront and if, if they try to negotiate, it's a no go. This is our policy; we have to stick to it."*

DEI lead and line manager, large private sector organisation.

Such organisations would accept changes to working practices only reluctantly, and only if required to do so by legislation.

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

The goal was therefore to standardise (and minimise) access to flexible working, except in instances where compliance reasons required otherwise. The immediate response to the Flex Plus model from respondents from these organisations was often a concern relating to perceived unfairness among coworkers. A flexible working consultant noted during focus group discussions:

*“Flex Plus creates this context where managers feel they’ve got to juggle fairness. If one person has three different types of flexible option and [another] has none, how do you manage that?”*

An HR lead from a large private sector organisation (that had the strictest hybrid policy of the organisations in our sample) felt that this principle of fairness would take priority over the principle of accommodating disabled employees who made requests for Flex Plus arrangements: *“The first challenge I would see is the line manager thinking..., Even knowing that there is a medical condition involved, thinking ‘Well, is that fair on other people?’”* (HR lead, small third sector organisation.)

However, these worries over fairness, and the concern over treating all employees the same, are at odds with the principle of disability equality, which sometimes requires ‘special treatment’ to ensure a level playing field between disabled and non-disabled people.

Nevertheless, as a result of such concerns, flexible working, and working from home in particular, was not always seen as a legitimate adjustment:

*“Flexible working is not really seen as falling under reasonable adjustments. We are going to be offering [disabled] employees lots of things like equipment, but the working from home, that becomes a much more of a complicated discussion.”*

DEI lead and line manager, large private sector organisation.

**Recommendation 3:** Employers should view flexible working and home working as possible forms of reasonable adjustment.

**Recommendation 4:** Organisational leaders should challenge the perception in their organisation that Flex Plus arrangements represent unfairly positive treatment, and instead promote the view that such arrangements are necessary to enable employees with FELCs obtain and remain in employment.

This failure to perceive the connection between disability equality and inclusion strategies and flexible working was felt to be commonplace according to a flexible working consultant: *"inclusion leaders often really don't understand or aren't involved in flexibility practice and policy at all"*.

The disconnect between disability inclusion and flexible working was also exacerbated by the introduction of increasingly standardised approaches to flexible working, especially in the private sector organisations in the sample. Several organisations had introduced HR software that presents a 'menu' of flexible working options, while at the same time predetermining which requests would be deemed 'reasonable'.

Such software can be helpful for people with a FELC, as they are not required to disclose their health condition/disability. But it is only helpful if their flexibility requirements match the structures of flexible working on offer in the menu of options. Yet these 'menus' typically include provisions such as term-time-only working (a form of annualised hours) or compressed hours. Such options are designed to meet the needs of parents requiring flexibility for childcare, rather than to meet the needs of disabled employees and/ or employees with a FELC.

Further to this, two interviewees made the point that while the introduction of the aforementioned HR software might increase the availability of flexible working across the workforce as a whole, this might de-prioritise the need for disabled employees to receive flexible working as a reasonable adjustment, especially in instances where they require non-standard models of flexibility (such as Flex Plus) that did not fit within the organisation's menu of flexible working options.

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

*“We have some concerns that the widening of flexibility in what still is quite a constrained system might mean that people who require it for disability reasons are going to the bottom of the pile again”*

DEI lead, large third sector organisation.

Another private sector DERG lead mentioned that since the introduction of standardised menus for flexible working and the curtailment of informal flexibility, many loyal staff members were leaving the organisation.

*“Some of these longer-term people have – well, they’ve been leaving. Because of how they’ve been rolling out the changes with... them, trying to take [flexibility acquired during Covid-19] off them without proper communications. It’s upset a lot of loyal people.”*

Another large private sector organisation had made changes to internal communications regarding flexible working on its website, increasing the information about what was deemed ‘reasonable’ in terms of flexible working requests by all employees (including those unrelated to health/disability). Yet at the same time, the DERG lead for this organisation noted that information about reasonable adjustments specifically for disabled employees was either missing from the website, or *“not as transparent as it could be.”*

**Recommendation 6:** Employers should review whether the forms of flexibility listed in standard HR menu software cater to the needs of all employees (including disabled employees and employees with FELCs) and not only to employees with childcare or caring responsibilities. They should make changes to these standard menus if necessary.

**Recommendation 7:** Employers should provide clear and transparent information to their employees regarding the availability of workplace adjustments.

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

One respondent argued that one reason for this failure to take into account the needs of employees with FELCs (and of disabled employees more widely) in organisations' flexible working policies is the general invisibility of disabled people within the organisation. This invisibility, they argued, resulted from organisations not knowing who or how many disabled people they employed, given this was typically not monitored or measured. This invisibility in turn meant the needs of disabled people were often not acknowledged or were de-prioritised relative to other equality stands:

*"I think what is really tricky is the data at the moment. Because if I look at how businesses monitor other aspects of diversity like women and race, the social data capture that enables them to see how they're doing and really pinpoint where they need to make improvements. Because [of the lack of reliable data about disability and the difficulties in collecting it] it makes it really difficult to intentionally drive improvements with data."*

DEI leader and line manager, large private sector organisation.

**Recommendation 8:** Employers should measure and report on an annual basis the percentage of their workforce that is disabled.

**Recommendation 9:** The Government should introduce a requirement for all employers with 250+ employees to report the percentage of their workforce that is disabled in the draft Equality (Race and Disability) Bill.

In essence, therefore, the 'flex as compliance' approach to flexibility has resulted in a situation in which, as summarised by a line manager from a large private sector organisation: *"flexible working is there in process and mechanism, but no longer in culture and tone"*.

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

#### *Personalised flexibility: flex as opportunity*

The 'flex as compliance' approach discussed above was not the only organisational response to increased home working since the pandemic. Other organisations, in contrast, had sought to leverage the benefits of the enforced home working during lockdowns. Regarding this, a line manager from the public sector reflected:

*"It's an opportunity, isn't it? To reflect on [Covid-19] and say, "Actually, one of the things that we learned is that we can be more flexible in this way." And now, let's think about the fact that that could mean that we could really strengthen our workforce by being able to employ people who we didn't employ before, or who we lost because they couldn't follow our strict rules."*

Line manager, large public sector organisation.

These organisations saw flexible working not as a policy for complying with legislation, but instead as a tool for personalising the working arrangements of employees as far as possible to meet their needs, thereby increasing labour supply and facilitating access to, and retention of, valuable skills.

**Recommendation 10:** Employers should view Flex Plus arrangements as benefitting the business by reducing labour turnover, facilitating skill retention, and broadening the labour pool for new hires.

**Recommendation 11:** The Government should commission research exploring the benefits of Flex Plus arrangements both for employers and employees.



### Chapter 3. Flex Plus for existing employees: possibilities and barriers

There was an acknowledgement within the 'flex as opportunity' approach that disabled employees and employees with FELCs might require 'special attention', and this in turn meant, as previously mentioned, that coworkers might perceive themselves as being treated unfairly. However, several respondents argued that the problem of perceived unfairness can be mitigated by making personalised flexibility available to everyone. Related to this, several examples were given of flexibility as a team-based concept, within which it was negotiated not just with the line manager but with coworkers. Regarding this, a DEI lead in a large third sector organisation said:

*"We all have a degree of flexible working and that's not something that's been formalised or anything, it's ad hoc. I think it works well because...we have a team culture where ... we're all aware of the fact that at various points we've all needed these different elements of [Flex Plus]."*

This form of distributed flexibility leads to coworkers supporting each other and building resilience within the team to flexible arrangements. A line manager from a medium-sized third sector organisation that was consciously embracing the benefits of flexible working described their strategy for building team-based resilience as follows:

*"I've always tried to encourage in my teams that people share [their circumstances] with others, so everybody's aware that that could potentially happen at any time. So that when it does happen, everyone's ready for it and prepared. And so, I've got a plan in place... people will need to cover, people will need to take on other responsibilities at short notice and leave some responsibilities behind, you know. But it's the team aspect, I think that's really important. And that's where the trust is important because it's, okay, yeah, between manager and member staff, but also in the team as well, you need that psychological safety, I think."*

A flexible working consultant noted during focus group discussions that this form of distributed flexibility lends itself to different ways of understanding the contribution made by each individual worker: *"it's much less about who's doing what for how long, but much more what gets done and who can contribute to that."*

**Recommendation 12:** Employers should offer comprehensive flexible working practices to all employees such that these practices become normalised, thus allowing any employee (disabled or otherwise) to work flexibly should they need to.

### **Barrier 2: The nature of the job**

It is clearly easier to apply Flex Plus working to some job roles than for others. Indeed, we acknowledge this in our research design, in which we focus on desk-based roles given the difficulties in offering working from home (a key component of Flex Plus working) beyond such roles (in frontline retail, logistics, transport, healthcare or hospitality roles, for example).

However, even within desk-based roles there is variation regarding how far Flex Plus working is practicable. This section explores this issue, arguing that it depends not just on the set of tasks contained in the job but also on the nature of the role relative to the wider workflow of the team or the organisation. In this section, we focus on two of the three elements of Flex Plus (working from home, and worktime flexibility).

### ***Working from home***

Most respondents were of the view that in the majority of organisations, there are no practical or technical reasons why many desk-based roles cannot be performed from home. Some exceptions to this were raised, including roles requiring a 'human touch' that can only be achieved through in-person interaction, or involving face-to-face client support, for example. In general, however, the view was commonly held that working from home is technically fairly straightforward for many desk-based roles, and that it can usually be implemented without impinging negatively on coworkers.

## Chapter 3. Flex Plus for existing employees: possibilities and barriers

However, a couple of respondents mentioned the problem of onboarding and socialising new recruits in environments where people work largely from home. Regarding this, a management consultant commented:

*“There are some practical issues that we need to address round supporting new recruits and having that informal knowledge share that takes place, you know, in an office space, in a shared working space.”*

Despite this, there was a general agreement among the respondents that although there are many job roles for which working from home is not a possibility, it is technically feasible for a lot of desk-based roles.

**Recommendation 13:** Employers should ideally have a default position that working from home (all of the time) for desk-based jobs is feasible. Where it is not feasible, this should be viewed as an exception to the default.

### *Worktime flexibility*

Respondents noted that for some job roles there are practical concerns regarding worktime flexibility and flexibility regarding the pace of work. This was most obviously regarding customer service roles with set hours. But more often mentioned by respondents was the general point that team roles are often highly interdependent, and therefore structured around processes, set timeframes and set pace of work:

*“Because you have a whole team – an ecosystem – that runs around that role. And therefore, the level of predictability [in one role] allows the planning in the rest of the ecosystem.”*

HR lead, large third sector organisation.

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

The pace and timing of work in some roles is sometimes dictated by external factors (e.g. fast moving events in media-based roles), and sometimes because of internal requirements. Regarding this, an HR manager of a small charity stated:

*"I can't focus on bigger projects, and I can't set my own deadlines. I really need to...respond to processes in other parts of the organisation ... I can't say that I'm going to do it tomorrow."*

HR lead, small third sector organisation.

In this context, the possibility of worktime flexibility crucially depends on whether this flexibility is over the course of a single day (e.g. through adjusted start and finish times or longer rest breaks); the course of a week; or a longer timeframe (across several weeks or months). Flexibility within the course of a single day has become normalised within working from home arrangements (though mostly informally), and usually has little impact on coworkers' worktime and outputs.

However, while flexibility within the course of a week is sometimes possible, respondents argued that it requires an unusually high degree of autonomy, and is only feasible in roles for which deadlines for outputs are on a longer timescale: *"Spreading hours across the week.. depends on the type of work you're doing.... if it's project work, fine. If it requires other people's input, I think that's where it becomes difficult."* (HR lead, medium private sector organisation).

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

The most commonly cited examples of where this might work were for certain roles in policy, strategy, or research. Indeed, the most positive attitudes to Flex Plus working came from teams or organisations specialising in this type of work, e.g. in large public sector or third sector organisations focused on policy/strategy, where having autonomy over pace of work was embedded in the culture of the team or organisation. Regarding this, a line manager from a public sector policy team commented:

*“Two of the people that I manage, their roles are very much like mine in that they have meetings to attend, they have papers to write... So, I don't monitor their hours at all because I just assume that they do the work.”*

Line manager, large public sector organisation.

Flexibility over a longer timeframe, though, was harder to provide, irrespective of the nature of the role. All respondents suggested that fluctuating conditions characterised by flare ups throughout the year (e.g. for conditions such as Crohn's disease or bipolar disorder) were not possible to accommodate through existing flexible working mechanisms. For example, respondents did not view annualised hours contracts as a solution to accommodate such fluctuations, arguing that such contracts are only feasible where the period of absence is predictable, as in the case of 'term time working' policies, or to enhance business agility in response to peaks and troughs in the annual business cycle. Annualised hours arrangements were not, however, viewed as a retention strategy that would help enable people with FELCs to remain in employment.

**Recommendation 14:** Where the nature of the job role permits, employers should permit worktime flexibility over the course of the week.

**Recommendation 15:** Employers should assess and index roles within their organisation that would allow for worktime flexibility over the course of a week (or longer). This would facilitate redeployment if an employee develops a FELC, and return to work following sickness absence.

**Recommendation 16:** Employers should explore whether annualised hours working arrangements provide scope for worktime flexibility for employees with fluctuating conditions.

The only efforts organisations were making to accommodate employees requiring worktime flexibility over a longer timeframe were via sickness absence management policies. Some organisations had formalised policies permitting up to 50% extra sick leave before triggering absence management processes for disabled employees, or alternatively applying the sickness absence policy flexibly on an informal basis through line manager or HR discretion. Other than this, we found no evidence of attempts by employers to accommodate conditions that fluctuate over longer cycles through worktime flexibility, irrespective of the nature of the job.

**Recommendation 17:** Employers should introduce formalised sickness absence policies that provide a longer sick leave period for disabled employees before triggering absence management policies.

**Recommendation 18:** The Government should explore mechanisms for cost sharing of sickness absence with employers (this might involve testing the feasibility of a partial wage subsidy and SSP rebates to offset employer long-term sickness costs<sup>65</sup>).

### Barrier 3: Feasibility of reduced-hours working and part-time roles

A further key operational factor affecting Flex Plus is the feasibility of creating a part-time role (the third element of Flex Plus working) from a full-time job, by 'carving out'<sup>66</sup> certain tasks or workload and redistributing the remaining tasks either to coworkers or to new recruits hired to 'backfill' the workload.

Some respondents (e.g. the HR leader of a medium-sized private sector organisation) reported that creating part-time roles in this way is routine in their organisation. Similarly, the senior leader of a small charity providing supported employment opportunities for people with learning disabilities commented: *"Job carving is what we do and we're very good at it..."*. adding:

*"It's recognising the strengths of those individuals and taking out elements of that role and going, "Right, well that's going to be your focus." And then you know, swapping it with other people's [tasks] and saying "right now you are going to do more of that because you are really good at that. We'll take this off you and we're going to give it to that person." So, it's a bit of a juggling act... [but] I can't think of any occasions where we've gone, "No, this too difficult because of X, Y, or Z. It's just having an open mind, isn't it?"*

Several respondents gave examples of job roles that lent themselves to carving out reduced hours of work. One such example related to payment processing, where teams are typically sufficiently large to ensure that the workload can be reorganised to accommodate employees moving from full-time to part-time roles.

However, several respondents suggested that team (and organisation) size is a key determinant in whether this is feasible. In some larger organisations with larger teams, creating part-time roles is viewed as 'business as usual'. For example, in two cases of large public sector organisations, respondents reported little to no friction among coworkers when this occurs, and that it is expected practice. By contrast, in smaller teams (or organisations), several respondents argued that it would place too great a burden on other team members who would be required to 'pick up the slack'.

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This is particularly the case in teams with particularly tight deadlines. Regarding this, an HR lead from a medium sized financial services organisation commented:

*"... you would also need a pool of work that you can dip in and out of that doesn't have very tight deadlines. Or if there are deadlines, there's just enough people who can cover."*

HR lead, medium private sector organisation).

The scope for creating part-time roles is also dependent on whether the individual is one of several employees performing similar work within the organisation, or whether they are performing a highly specialised job role. Respondents commented that backfilling roles or reorganising job tasks to accommodate the creation of a part-time role is much easier in the former than the latter context.

Other respondents pointed to financial constraints imposed by senior organisational leaders that restricted the scope for recruitment to backfill the tasks/workload when part-time roles are created. This was particularly the case where hiring freezes had been imposed as a cost-cutting strategy.

Therefore, there appeared to be significant variation in views across organisations regarding the feasibility of carving out part-time roles, with some organisations finding it easier (and being more willing to do it) than others. This suggests significant scope to explore why this variation is occurring, and whether there are lessons that can be learned from organisations that are more likely to carve out part-time roles that could benefit other organisations.

**Recommendation 19:** Employers should explore avenues by which employees who need to reduce their hours of work are able to do so. For example, this might involve greater employee multiskilling, which would enable organisations to move staff at short notice into teams with tight deadlines, should a member of that team need to reduce their hours.



**Recommendation 20:** Where employers impose recruitment freezes for cost saving purposes, they should still allow backfill recruitment so that a worker who develops a FELC can reduce their working hours.

**Recommendation 21:** The Government should commission research on the drivers of organisational willingness to create reduced hours or part-time roles, and disseminate best practice lessons emanating from this research.

### **Barrier 4: Negotiating power – trust, market leverage and self-advocacy**

When existing employees develop a FELC and subsequently request a Flex Plus role, our respondents suggested they will not all be treated equally. This is due to three key factors: first, whether the employee is viewed as a trusted employee; second, whether they possess scarce skills and hence have sufficient market leverage to negotiate a change to their working arrangements; and third, the individuals' self-advocacy skills. This section explores these factors in turn.

#### ***The trust factor***

Many respondents noted that trust in the employee is a prerequisite for allowing Flex Plus working. This is because, regardless of the organisation's policies and practices, decision-makers (whether line managers or HR) have discretion over whether flexible working requests will be granted or refused. In using this discretion, all respondents agreed that one reason for line manager reluctance to grant Flex Plus arrangements is because it is more difficult to monitor the performance and productivity of employees that are working both at a different location and at different hours to their manager.

Flex Plus therefore requires considerable trust in the worker, and there was wide agreement that employees earn this trust through performing well in their role over time. Regarding this, an HR leader from a medium sized private sector organisation described why accommodations were granted to a worker who acquired a disability as follows: *"She is a longstanding member of staff. So, she knows her job, she performs very well and so we put some accommodations in place."* (HR lead, medium private sector organisation).

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

However, this places employees with FELCs in a Catch-22 situation – they are unlikely to gain the trust of their line manager in the absence of the Flex Plus working arrangements they need to be able to demonstrate they are a high performing worker. Yet they are unlikely to be accorded Flex Plus arrangements in the absence of first proving they can be trusted to perform at a high level from a remote location and without line manager supervision:

*“It’s kind of like a vicious circle, because for some people they struggle with performance because of the lack of accommodations but they’re not getting accommodations because their performance is low. So they’re the people who struggle the most and end up either leaving, or being forced to leave the business.”*

DERG lead, large private sector organisation.

**Recommendation 22:** When an employee requests Flex Plus working, employers should evaluate the employees’ request based on their likely performance were they to have Flex Plus arrangements in place, and not on their historical performance in the absence of such arrangements.

**Recommendation 23:** Where the employer is in doubt as to whether the employee can be trusted to perform their job well if accorded Flex Plus arrangements, Flex Plus should be offered on a temporary basis and withdrawn if the employee’s performance falls below expectations.

### Market leverage

Where employees possess specialist knowledge or scarce and valuable skills, our respondents suggested their likelihood of negotiating Flex Plus arrangements is significantly greater. One HR lead from a large private sector organisation provided a (non-disability) example of a longstanding private sector employee (*“she’d been with the company for a long time, developed that trust”*) returning from second maternity leave who was allowed to create a 0.3 FTE role for herself despite the organisation’s rigid policies, because her in-depth knowledge of the business’ operations enabled her to identify a certain tranche of clients to manage:

*“And then they were able to say, “Alright, we can reduce her down and give you certain clients of work to manage [because] that part of the business isn’t a big enough account that would need five days a week.””*

Given the labour supply problems, skills shortages and high vacancy rates facing many employers, however, it is questionable whether they should reserve Flex Plus working only for exceptional employees or whether it should be available to all as a retention strategy.

**Recommendation 24:** Rather than Flex Plus arrangements being reserved for exceptional performers, employers’ default position should be to offer such arrangements to all employees who require them.

### Self-advocacy

Several respondents highlighted that irrespective of whether the individual is viewed as a trusted worker or possess market leverage, their skills in self-advocacy are critical if they are to successfully negotiate Flex Plus working arrangements. A senior leader with a FELC in a large private sector organisation described her journey of self-advocacy to achieve (almost) the Flex Plus working arrangements she needed. Central to this was networking with disabled peers in similar sectors, researching which companies had best policies and practices, and gaining advice from peers about whether, how and when to disclose disability during the hiring process.

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

A DEI lead confirmed that the employee's self-advocacy skills often determine their likelihood of negotiating Flex Plus arrangements:

*"I'm aware that [Flex Plus] happens, but it's very much led by people being comfortable to advocate for themselves and being very, very proactive about it. I think... it is generated from people within those jobs going, "Hang on a second actually – if we did things this way, this would be the benefit."*

DEI lead, large third sector organisation.

It is concerning, however, that access to Flex Plus working appears, in many instances, to be dependent on how effectively the individual argues for such working arrangements, rather than such arrangements being proactively made available by the organisations to those who need them to remain in employment. As well as being to the detriment of the individual, this could also be to the detriment of the organisation if it results in losing valuable workforce skills.

**Recommendation 25:** Employers should ensure that the policies in place regarding Flex Plus working are sufficiently robust, transparent and proactive such that employees are not dependent on their own self-advocacy skills in order to secure such arrangements.

#### **Barrier 5: Line manager capabilities**

As outlined above, the Flex Plus model generally lies outside of standard flexible working policies and procedures. Given this, line manager discretion is often central in determining the availability (or otherwise) of Flex Plus working. Even in organisations with the best disability inclusion or flexible working policies, some respondents described a 'line manager lottery' in determining who is allowed to work flexibly, with some line managers being more willing than others to "bend the rules" (DEI lead, large public sector organisation). In particular, respondents highlighted the importance of line manager understanding of FELCs, their capabilities and willingness to create part-time roles, and their ability to manage remote working effectively. We focus on these matters below.

#### *Line manager understanding of FELCs*

Several respondents highlighted the importance of line manager confidence and skills in discussing and comprehending issues related to health and work. This was particularly the case for employees with FELCs (and long-term conditions generally). The importance of this was demonstrated by a line manager in a large third sector organisation who described an employee who had withheld her mental health struggles for some time from fear of being stigmatised. However, given their line managers' understanding of mental health matters, the employee was able to establish a supportive rapport with them, thus giving the employee the confidence to share their difficulties with them, following which flexible working arrangements were put in place.

However, while awareness of mental health and neurodiversity at work has grown in recent years, there is a gap in awareness raising and line manager training regarding FELCs. As one focus group participant with lived experience of a FELC stated:

*“Disability equality training doesn't usually touch on energy-limiting conditions and the challenges of fluctuating conditions. These are a set of access needs that might be quite different to people with other kinds of disabilities”*

As a result, according to two DERG leads, when employees asked their line manager for flexibility to accommodate a FELC, the line manager frequently did not understand their needs. This included a failure to understand that arrangements such as Flex Plus for employees with a FELC are essential for them to obtain or remain in employment and are not a lifestyle choice. This lack of understanding increased the likelihood of Flex Plus being refused. A disability employment researcher noted during focus group discussions:

*“Some of the best practice I've seen is when a line manager understands flare ups and the need sometimes for people to take breaks, or even lay down in the office or sleep, at quite irregular times that may not fit in with standard work hours.”*

**Recommendation 26:** Line managers should receive training to increase their understanding of FELCs and how to support workers with such conditions. This training should also be incorporated into broader disability training.

Following disclosure of a disability or health condition, line managers' first response was often to immediately defer the 'problem' to HR or (if available) Occupational Health (OH). Respondents' attitudes towards OH was mixed. Many noted that since Flex Plus typically lies outside standard flexible working requests, it would require a recommendation from OH through the reasonable adjustment route. This could be positive: in one public sector organisation, OH was always involved following a disclosure, with the aim of ensuring that every possible avenue of support and accommodation for a disabled employee had been explored.

However, a DERG lead from a private sector organisation said that an OH referral was typically feared by disabled employees, because it was seen as an indication that the manager distrusts the disclosure and is deferring to OH to verify (or possibly reject) the disability claim. Either way, this outsourcing of workplace accommodation issues to OH often has the effect of closing down communication between line manager and employee, and hence further curbing line managers' understanding of FELCs.

**Recommendation 27:** Employers should ensure that when requests for Flex Plus working are referred to Occupational Health, line managers remain centrally involved in these discussions, where appropriate, to ensure they are aware of the details of the adjustments given and that they understand the reasons for them.

### Chapter 3. Flex Plus for existing employees: possibilities and barriers

#### *Line manager capability and willingness to create part-time roles*

As outlined above, reduced hours or part-time working is an essential characteristic of Flex Plus arrangements. However, in addition to the operational and organisational barriers to the creation of such roles outlined above, much can depend on whether the line manager is willing or able to take a lead in restructuring the role to reduce hours and/or redistribute workload or tasks. This in turn depends at least in part on how far the line manager possesses the 'mindset' to carve out part-time roles, and "*an ability to conceptualise working differently*" (private sector HR leader), whereby they are able to re-envisage work tasks around employee capability rather than around set roles.

Several participants said that central to such a mindset is understanding that accommodating employees' flexibility needs can have positive implications for organisational effectiveness and employee engagement, and "*whether or not you have a manager who understands what flexibility brings as a benefit and doesn't see it as a kind of hurdle or obstacle*" (DEI lead, large third sector organisation).

Regarding this, an HR leader from a private sector organisation said:

*"Leaders that are good in this space, it's because they understand individual need and the engagement link. So, if you've got an engaged employee, you're going to get more production. You'll get a better turnout and your business will grow. [Good leaders are] more likely to help people, because the return on that investment is huge".*

HR lead, medium private sector organisation.

At the other extreme, a DERG lead spoke of their experience of line managers who fail to implement Flex Plus or similar arrangements effectively when requested. Typically, they may agree in principle to a reduction in hours but fail to either reassign or recruit to backfill the role, leaving the employee with reduced hours but not a reduced workload.



## Chapter 3. Flex Plus for existing employees: possibilities and barriers

Alternatively, they redistribute tasks in a way that creates friction and resentment among coworkers:

*"I have seen people who've been working part-time, and they have quit, and when I asked them why they're quitting it is that even though the role they signed up for is part-time, and the hours they do are part-time, the responsibilities that they are expected to fulfil are full-time".*

DERG lead, large private sector organisation.

**Recommendation 28:** Organisational leaders should promote the view among line managers that providing reduced hours or part-time working to those requiring it to remain in employment can increase employee engagement, thereby improving organisational effectiveness

### *Managing remote workers*

A further important line manager capability is their skills in managing remote workers. Earning the status of a 'trusted worker' is critical to accessing Flex Plus working opportunities (particularly working from home), as we describe above. However, the inverse of this relationship is that it is essential that line managers possess the skills required to manage employees working from home effectively. Flex Plus involves the employee not just working from home, but also often at different times from their managers and possibly other team members. Given this, many respondents said that line managers find it more difficult, and often lack the confidence, to monitor performance and productivity at a distance, particularly when output is difficult to measure. Some noted that the sudden switch to widespread remote working during Covid-19 lockdowns triggered the need to develop these new skills:

*"How do we help managers manage poor performance in a remote hybrid world? But also how to recognize people's contribution as well in a remote world"*

DEI Lead, large private sector organisation.



### Chapter 3. Flex Plus for existing employees: possibilities and barriers

The most critical management skill mentioned by respondents involved moving to outcomes-based performance management rather than monitoring visible presence at work. This involved placing trust in employees to perform at the required levels, even if they did so at unconventional hours or in atypical ways. Another skill mentioned was embracing digital channels for rapid communication to supplement email and online meetings, as a way of maintaining engagement and connection within teams. Finally, line managers needed to find ways to replace the loss of social connection within teams and mitigate the risks of isolation.

Many of these skills and strategies necessitated by the pandemic are also needed to manage Flex Plus working. Yet it is far from guaranteed that line managers will possess these skills.

**Recommendation 29:** Line managers should receive training in managing remote workers effectively, including in relation to outcomes-based management, effective communication, and team social interaction.

#### Chapter summary

This chapter has explored the extent of adoption and the barriers to the implementation of Flex Plus working for employees within an organisation who develop a FELC.

Our research identified five key barriers regarding: whether the culture of the organisation reflects flex as compliance rather than flex as opportunity; how far the nature of the job permits working from home and worktime flexibility; the feasibility of reduced hours or part-time working; the extent to which the employee is viewed as a trusted employee, possesses market power in the form of rare skills, and possesses self-advocacy skills; and line manager understanding of FELCs, capability and willingness to create part-time roles, and ability to manage remote workers effectively.

We also present a series of recommendations aimed at addressing these barriers, thereby suggesting that these barriers, while significant, are not insurmountable.

04

# Flex Plus arrangements for jobseekers

## Chapter 4. Flex Plus arrangements for jobseekers

The previous chapter explored respondents' views on the scope for, and barriers to, Flex Plus working arrangements for existing employees in the organisation who develop a FELC. In this chapter, we explore the scope for, and barriers to the adoption of, Flex Plus arrangements for new hires to the organisation. While all the barriers outlined in the previous chapter also apply to the provision of Flex Plus for new hires, below we outline a series of additional barriers facing this group of employees. We commence by outlining our respondents' views on how far Flex Plus arrangements are available for new hires to the organisation.

### The provision of Flex Plus for jobseekers

The common view across our respondents is that while there is some scope for the adoption of Flex Plus arrangements for existing employees within the organisation who develop a FELC, there is much less scope for the adoption of such arrangements for new hires. As a DERG Lead from a large public sector organisation commented: *"If you become ill whilst you're employed here, you'll be okay. If you're ill and then want to come in, it's likely to be a struggle. For us that's the biggest challenge."*

This is despite strong support from most respondents for the notion of using Flex Plus to help people with FELCs make the transition back into work. Some respondents pointed to the societal benefits associated with this, including lower unemployment particularly among groups of employees that typically struggle to secure employment, as well as the business benefits of a diverse workforce, including improved collaboration, problem solving, creativity and better reflection of the customer base.

## Chapter 4. Flex Plus arrangements for jobseekers

One representative of a large private sector company summed this up as follows:

*“You’re tapping into a wealth of knowledge and education that is currently not being used. And there’s individuals who have so much to give. I mean, it could either be from knowledge and background... It could be people who have a different way of looking at things. So, you can – by hiring different people, really change the way that we operate and give new opportunities and insights”.*

DEI lead and line manager, large private sector organisation.

Some expressed a clear future vision for Flex Plus to be part of wider disability inclusion strategies: *“the opportunities to be able to build in Flex Plus as part of an overall recruitment package for people with disabilities is the way forward and will be a future”* (Line manager, large public sector organisation). As a DERG Lead from a large public sector organisation commented: *“we would like to offer the same flexibilities to applicants as to existing workers, but we are not there yet.”*

Reflecting this, many respondents echoed one line manager’s sentiment that Flex Plus represents the next phase in the evolution of flexible working generally: *“I wouldn’t be remotely surprised if it’s quite normal for roles to be kind of created [in a Flex Plus way] in four or five years’ time”* (Line manager, large third sector organisation). Some respondents also saw the potential for Flex Plus to help other groups of jobseekers (e.g. people who leave the workforce because of caring responsibilities).

Despite these hopes for the future there remained a strong consensus that organisations are currently making little, if any, provision for Flex Plus working arrangements for new hires to the organisation. Our respondents suggested that while organisations might perceive a sense of moral obligation to accommodate their existing employees’ flexible working requests, they would feel no such obligation towards new hires. Indeed, our respondents pointed to examples of organisations that were unwilling to offer flexible working arrangements to new hires at all. One HR lead from a large private sector organisation described a *“zero tolerance”* approach towards those asking for flexible working in recruitment because hiring managers believed it indicates lack of work ethic.

## Chapter 4. Flex Plus arrangements for jobseekers

A few organisations were, however, willing to negotiate at least some forms of flexible working arrangements with new hires. This had become more common as a result of Covid-19, with flexible working possibilities being increasingly mentioned in job ads. Regarding this, one DEI lead in a private sector organisation commented: *“Offering flexibility is part of talent attraction strategies”*. Yet in these organisations, this offer did not extend to Flex Plus working, focusing instead on opportunities for hybrid working rather than the option to work from home all of the time, or for worktime flexibility and reduced hours.

**Recommendation 30:** Employers should consider expanding their offer of flexible working as a talent attraction strategy, including the option to work from home all of the time, worktime flexibility and reduced hours.

**Recommendation 31:** Employers should state in job advertisements the flexible working options they make available to employees.

Our respondents therefore viewed the provision of Flex Plus arrangements to new hires to the organisation to be extremely limited. This is in part explained by the barriers outlined above regarding the provision of Flex Plus for existing employees who develop a FELC. However, our respondents pointed to four additional barriers to the provision of Flex Plus for new hires into the organisation: the lack of clarity on when within the hiring process prospective new hires should seek to negotiate flexible working arrangements; a lack of willingness to advertise jobs on a part-time basis; the ‘unproven’ nature of new hires; and the counterproductive impact of existing diversity hiring practices. We explore each of these barriers below.

### **Barrier 1: A lack of clarity about when to negotiate flexible working arrangements**

Our respondents highlighted the problem of a lack of clarity within organisations’ hiring processes over exactly when new hires to the organisation should make a request for flexible working arrangements.

## Chapter 4. Flex Plus arrangements for jobseekers

Some organisations proactively offered, and expected, a conversation with candidates post-job offer about flexible working, on the basis that the best time for a candidate to negotiate was after they had proven themselves to be the best person for the job. However, contrary to this, one respondent said their organisation would be *“a bit cheesed off”* (HR lead, large third sector organisation) if an applicant waited until this stage to mention their flexible working needs, given that candidates should have felt safe enough to mention their needs at interview stage.

However, given that employers rarely, if ever, proactively solicit such conversations at interview stage (and indeed in some instances are openly hostile to discussing flexible working options), applicants often lack the confidence to instigate such negotiations pre-job offer, especially if they are not certain if doing so would impact their likelihood of being offered the job, and also as they might not know what adjustments they need until they start in the role. The DEI lead of a large third sector organisation acknowledged this: *“It’s hard I think for people coming in at the recruitment stage to negotiate flexibility in a job that they haven’t had and don’t know what it’s going to be like.”*

**Recommendation 32:** Employers should ensure that it is clear to job candidates when they should raise requests for flexible working arrangements, and they should reassure candidates that raising such requests before an offer is made will not impact negatively on their chances of being hired.

### **Barrier 2: Unwillingness to advertise jobs on a part-time basis**

All respondents said that most jobs advertised by their organisation are by default full-time jobs. As an HR lead for a large charity said:

*“The really challenging bit is we write a full-time role, generally. And so the number of objectives and the tasks and accountabilities are equivalent to a thirty-five-hour week person working at normal productivity.”*

HR lead, large third sector organisation.

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An HR lead explained that jobs are designed as full time at the outset because *“existing staff can always apply to reduce their hours”* (DEI lead and line manager, large private sector organisation) for childcare or other reasons. However, people with FELCs are often unable to access part-time work on this basis because they cannot sustain an initial period of full-time work.

This is not to say that no jobs are advertised on a part-time basis at all. Yet our respondents emphasised that these tend to be for physically demanding roles such as estate management (cleaning), hospitality (chefs) and care sector jobs, which are unsuited to people with FELCs. By contrast, there is a paucity of part-time job opportunities in desk-based or non-physically demanding roles. Regarding this, a lived experience expert who had been trying unsuccessfully to find a desk-based Flex Plus job opportunity said that on the rare occasions when such roles are advertised:

*“Often, they are closing the applications within hours of releasing them because they’re so overwhelmingly applied for that they just can’t cope.”*

The same respondent also commented that where roles are advertised on a part-time basis, the hours per week are typically still in excess of what many people with FELCs could reasonably manage: *“There’s almost nothing at 16 hours or less.”*

Respondents gave several reasons for a lack of willingness of organisations to advertise jobs on a part-time basis. One reason was the assumption that there would be a lack of demand in the labour market for part-time jobs because the high cost of living, especially in urban areas, necessitates a full-time wage. Countering this, though, a flexible working consultant in the focus group noted:

*“Actually, when you think about it, [this concern is] counter intuitive, because if you actually offer part-time roles, then far more people are going to be able to do that, and so you actually have been able to increase your pool of hours.”*

## Chapter 4. Flex Plus arrangements for jobseekers

This view is, of course, also supported by the comment from the aforementioned lived experience expert regarding the high level of demand for the few roles advertised on a part time basis. This suggests that if provided greater opportunities for people to be hired to roles on a part-time basis, this could significantly increase the pool of potential applicants.

**Recommendation 33:** Employers should evaluate how far there is demand for part time roles, rather than assuming such roles are not in demand, and where there is such demand, they should seek to offer a greater number of roles on a part-time basis.

Another reason given for not listing jobs as part-time is the additional financial burden involved in contracting two (or more) employees rather than a single employee. It was surprising that respondents made this argument, however, given that employers do not pay any National Insurance charges for the first £9,100 of each employee's wage, so there is an apparent incentive to split one full-time job into two (or more) part-time ones.<sup>67</sup> However, many respondents felt that there were nevertheless additional financial burdens in terms of employee benefits, administration costs, and the hiring costs involved in recruiting additional employees to backfill roles. Also, as alluded to in chapter 3, there are costs involved in reorganising roles within the organisation to accommodate reduced hours working. Regarding this, the HR lead of a large third sector organisation commented:

*"When you then start seeing people say, 'Well, can I do it on three days a week?' You're already then saying to yourself, 'So what bits of the job that I have stated in the objectives aren't going to be delivered?'"*

Reflecting such concerns, a DEI lead from a large third sector organisation reported that its HR department had made the decision not to mention flexible working options in its job ads because *"that's going to create too many different contract types.' And, 'Oh, we'll get lots of job share requests.' And you know, 'How are we going to manage it?'"*



## Chapter 4. Flex Plus arrangements for jobseekers

Also, notwithstanding the previous point regarding employer National Insurance contributions being lower for two (or more) part time roles than for a single full time role, the financial benefits in this regard will reduce in April 2025, when the level at which employer payments start to be made will lower to £5,000<sup>68</sup>:

*“The impact of the increase in National Insurance contributions on part time workers... disincentivises reduced hours working, particularly for SMEs. It’s really costly to have part time workers.”*

Flexible working consultant

Overall, most respondents agreed that a ‘change of mindset’ is needed regarding the provision of part-time roles. As the DEI Lead of a large private sector organisation commented: *“Rather than thinking ‘we need them full-time’, the mindset needed is ‘Actually, what could this person deliver and how could we carve the rest of the job up differently?’”*. At present, however, the general view among respondents is that organisations are a long way off this approach.

**Recommendation 34:** The Government should clarify to employers the National Insurance implications of employing two (or more) part-time employee as opposed to a single full-time employee.

### Barrier 3: The ‘unproven’ nature of new hires

As demonstrated in Chapter 3, organisations might, on occasion, be willing to offer Flex Plus arrangements so as not to lose a trusted, valuable employee. However, such willingness rarely extends to new hires. While many respondents said that although they could personally see a case for offering Flex Plus arrangements to new hires where needed, senior leaders of their organisation would need to be persuaded of the business benefit in doing so:

*“I think we’re more open probably to supporting people already in the business, because we know them and they’re part of the team, et cetera. I think taking someone on with a long-term health condition is probably where we’ve got more work to do.”*

DEI Lead, large private sector organisation.

## Chapter 4. Flex Plus arrangements for jobseekers

*“If we were recruiting in, I would suspect that management would say possibly not to [accept Flex Plus arrangements].”*

HR lead, medium private sector organisation.

As outlined in Chapter 3, a key pre-cursor of line manager willingness to offer Flex Plus arrangements is that they trust the employee, given the difficulties involved in monitoring the productivity and performance of remote workers working at atypical times. Employees typically earn this trust over time by demonstrating they are a reliable, committed worker that can be trusted to perform to a high level without supervision.

As such, it is virtually impossible for a new hire to the organisation to demonstrate they are worthy of this level of trust from day one, or that they possesses the necessary skills and knowledge of the role to be able to work unsupervised. Indeed, one respondent commented that a typical view among hiring managers would be:

*“Have they proven themselves?...! If someone was a current employee you would say, 'I trust this individual to do the job, therefore be more flexible, whereas someone coming in from scratch, that would be a lot harder”*

DEI lead and line manager, large private sector organisation

However, it was not entirely unheard of for an employer to agree to offer part-time hours to a new hire for a role advertised as full time, but this only happened where the new hire was a particularly outstanding candidate who had demonstrated exceptionally high competency levels or possessed particularly scarce skills. Such instances were extremely rare, and would only ever be likely in sectors with very high skills shortages (IT, for example).

Therefore, as argued in Chapter 3, while it is far from straightforward (but nevertheless still possible) for an organisation's existing employees to demonstrate they are sufficiently trustworthy and 'proven' to work from home, this can be virtually impossible for new hires. Other research has reached similar conclusions. For example, a large-scale US survey found that only 10% of 'telework-friendly' employers were willing to hire disabled employees directly into telework roles, citing lack of trust because they had not yet proven themselves in the role.<sup>69</sup>

**Recommendation 35:** Employers should consider offering Flex Plus arrangements to new hires for a probationary period, thereby giving them the opportunity to prove that they are sufficiently trustworthy and competent to perform the role effectively on a Flex Plus basis.

### **Barrier 4: Unintended consequences of diversity hiring practices**

Several of our respondents raised concerns that well intentioned diversity hiring practices do little to support people with FELCs to access employment and may even have negative unintended consequences.

Progressive recruitment practices mentioned by respondents in their organisations included the guaranteed interview scheme for disabled applicants within the government's Disability Confident Scheme, which requires employers to offer an interview to disabled candidates who meet the essential criteria for the role. Notwithstanding research suggesting that very few Disability Confident organisations are upholding the requirement to offer guaranteed interviews,<sup>70</sup> these interviews are typically part of an anonymous recruitment process designed to remove unconscious bias and avoid discrimination towards applicants with protected characteristics. Therefore, the disability disclosure made on the job application to secure a guaranteed interview is typically not seen by the interview panel that makes the final selection decision, hence it is unable to prompt a discussion on any adjustments the new hire might need. Regarding this, a DERG lead from a large public sector organisation noted:

*"If you tick the disability box you get a guaranteed interview, but the hiring manager doesn't see it, so doesn't open up processes of negotiation with the manager".*

More broadly, equalities legislation prohibits employers from asking questions about health or disability during recruitment, again with the intention of eliminating discrimination. Although this does not prevent a job applicant from initiating a discussion about their health or disability, this is unlikely to happen given many disabled job applicants fear that disclosing their disability during the recruitment process will reduce their chances of being hired. Indeed, one survey of 3,000 disabled people found that only 23% would do so.<sup>71</sup>

## Chapter 4. Flex Plus arrangements for jobseekers

As such, given that hiring managers often avoid initiating such conversations out of fear of falling foul of the law, such conversations often never happen. Regarding this, one of our respondents commented:

*“Where the application is a blinded process ... It makes it harder to deal with altogether. It’s designed to increase racial equality ... but it’s actually putting a huge additional barrier onto disabled people”.*

Lived experience expert

Similar issues emerged regarding employers’ invitations to job applicants to request reasonable adjustments within the hiring process (e.g. providing information in alternative formats, or giving interview questions in advance). Where job applicants made such requests, this did not then prompt discussion on the adjustments to working arrangements they might need should they be offered the role.

Therefore, for people who need Flex Plus arrangements as a prerequisite for working, it would appear that common anti-discrimination practices in recruitment may inadvertently inhibit the necessary discussions between employers and job applicants. Reflecting on this during focus group discussions, a flexible working consultant said:

*“It would be great if we could move to a world where people felt comfortable and protected to disclose at the outset and have some meaningful conversation about flexibility during recruitment rather than post job-offer.”*

**Recommendation 36:** Employers should ask job candidates whether they wish for any disability-related disclosures (e.g. for the purposes of securing a guaranteed interview, or an adjustment in the hiring process) to also form the basis of a discussion regarding the adjustments they would need should they be successful in securing the role.

## Chapter 4. Flex Plus arrangements for jobseekers

### Chapter summary

This chapter has explored the barriers to the implementation of Flex Plus arrangements for new hires with FELCs to the organisation.

All the barriers outlined in Chapter 3 to the implementation of Flex Plus arrangements for existing employees within the organisation who develop FELCs also apply to new hires with FELCs.

However, our research identified four additional barriers facing the latter group: the lack of clarity on when within the hiring process prospective new hires should seek to negotiate flexible working arrangements; a lack of employer willingness to advertise jobs on a part-time basis; employer concerns over the 'unproven' nature of new hires; and the counterproductive impact of existing diversity hiring practices.

The recommendations we make aimed at addressing these barriers suggest that while significant, these barriers, as with the barriers discussed in Chapter 3, are not necessarily insurmountable.

05

# Conclusions and final recommendations

## Chapter 5. Conclusions and final recommendations

This report has focused on the potential for Flex Plus working arrangements to improve employment outcomes for people with FELCs. We find that there is considerable understanding of the Flex Plus concept and awareness of the potential for it to help people with FELCs obtain and remain in employment.

However, we also find that while there is some evidence of organisations implementing Flex Plus arrangements for existing employees who develop FELCs, there are significant barriers to its introduction both for these employees and also for new hires to the organisation, for whom the provision of such arrangements is almost completely absent. Given that our sample is likely to be biased towards organisations that are better than the average in terms of disability inclusion, it is perhaps surprising that Flex Plus arrangements were not more widely reported. This suggests that across a more representative sample, the use of Flex Plus arrangements is likely to be even lower than we find in our research.

This limited availability of Flex Plus working (especially for new hires) has significant policy implications – particularly when set against the evidence for the need for Flex Plus working both for people with FELCs and those who are jobless for health reasons more broadly. The Government's efforts to increase the labour market participation of this group, and any future attempts to reform the benefits system in seeking to achieve this, are unlikely to be successful without a strategy to encourage and support employers to increase the availability of Flex Plus working opportunities.

In this chapter, we summarise our recommendations regarding how to address the barriers to the adoption of Flex Plus working, and thereby increase its availability. First, we focus on recommendations regarding the retention of existing employees who develop FELCs, grouping these into six key messages for action (establishing the business case for Flex Plus; getting organisational culture right; Flex Plus as a 'reasonable adjustment'; enabling workers to demonstrate that they can be trusted; better-skilled, better-involved managers; and monitoring outcomes and improving practice over time).

## Chapter 5. Conclusions and final recommendations

We then outline our recommendations regarding overcoming the barriers to Flex Plus working for new hires to the organisation, and finally outline our recommendations to Government. We reflect on all 36 of the recommendations outlined above. We then outline three additional recommendations to Government – in total providing 39 recommendations (hence 'The 39 Steps') for helping Flex Plus working realise its potential for disability inclusion.

### Recommendations to employers regarding existing workers

#### *Establishing the business case for Flex Plus*

Most of our recommendations relate to how employers might change their approach to flexible working. However, there is little to be gained from simply exhorting employers to change their approach. Instead, the reasons *why* they should change needs to be made clear.

Our main argument regarding this is that there is a strong business case for them to do so. Hence our recommendations that:

*Employers should view Flex Plus arrangements as benefitting the business by reducing labour turnover, facilitating skill retention, and broadening the labour pool for new hires*

[Recommendation 10]

*Organisational leaders should promote the view among line managers that providing reduced hours or part-time working to those requiring it to remain in employment can increase employee engagement, thereby improving organisational effectiveness*

[Recommendation 28]

It is however also necessary for Government to help motivate employers to act, as we return to in our Recommendations to Government below.



## Chapter 5. Conclusions and final recommendations

### *Getting organisational culture right*

Several of our recommendations focus on organisational culture change, in particular moving from a culture of 'flex as compliance', in which flexibility is largely only offered to meet legislative requirements, to a culture of 'flex as opportunity' in which flexibility is the default position for all employees and is seen as having positive business implications. Regarding this, we recommend:

*Employers should ideally have a default position that working from home (all of the time) for desk-based jobs is feasible. Where it is not feasible, this should be viewed as an exception to the default*

[Recommendation 13]

*Organisational leaders should avoid blanket return-to office-mandates, because of the potential loss to the employer of valuable and scarce skills*

[Recommendation 3]

*Where the nature of the job role permits, employers should permit worktime flexibility over the course of the week*

[Recommendation 14]

This will have consequences for the way that work is organised, and the tools that staff use to arrange their work:

*Employers should move away from set start and finish times to the working day (where possible), and establish digital diary management tools that enable employees to signal their periods of availability to their co-workers*

[Recommendation 2]

## Chapter 5. Conclusions and final recommendations

In changing the broad expectations around flexibility, it is also important that these are not 'reserved' for exceptional employees, but become the norm – partly to minimise inequalities in who takes them up, but also to ensure that Flex Plus jobs feel 'fair' to everyone:

*Employers should offer comprehensive flexible working practices to all employees such that these practices become normalised, thus allowing any employee (disabled or otherwise) to work flexibly should they need to*

[Recommendation 12]

*Rather than Flex Plus arrangements being reserved for exceptional performers, employers' default position should be to offer such arrangements to all employees who require them*

[Recommendation 24]

### ***Flex Plus as a 'reasonable adjustment'***

As suggested above, Flex Plus arrangements should ideally be available to everyone (where the nature of the job allows it). However, we recognise that this might not be feasible for all employers. As such, in these cases, it is important that Flex Plus working is seen as a reasonable adjustment for workers with health problems and disabilities.

We recommend a number of practical ways that employers can help make Flex Plus as a reasonable adjustment a reality:

*Employers should provide clear and transparent information to their employees regarding the availability of workplace adjustments*

[Recommendation 7]

*Employers should review whether the forms of flexibility listed in standard HR menu software cater to the needs of all employees (including disabled employees and employees with FELCs) and not only to employees with childcare or caring responsibilities. They should make changes to these standard menus if necessary*

[Recommendation 6]

## Chapter 5. Conclusions and final recommendations

*Employers should ensure that the policies in place regarding Flex Plus working are sufficiently robust, transparent and proactive such that employees are not dependent on their own self-advocacy skills in order to secure such arrangements*

[Recommendation 25]

*Where employers impose recruitment freezes for cost saving purposes, they should still allow backfill recruitment so that a worker who develops a FELC can reduce their working hours*

[Recommendation 20]

But equally important, employers need to make sure that there is an inclusive culture regarding how reasonable adjustments are perceived:

*Employers should view flexible working and home working as possible forms of reasonable adjustment*

[Recommendation 4]

*Organisational leaders should challenge the perception in their organisation that Flex Plus adjustments represent unfairly positive treatment, and instead promote the view that such adjustments are necessary to enable employees with FELCs to perform their job roles effectively*

[Recommendation 5]

*Employers should introduce formalised sickness absence policies that provide a longer sick leave period for disabled employees before triggering absence management policies*

[Recommendation 17]

## Chapter 5. Conclusions and final recommendations

### ***Enabling workers to demonstrate that they can be trusted***

Where flexibility is not the default, a major barrier to the introduction of Flex Plus is whether managers trust that the employee is sufficiently high-performing to work from home and without supervision. This may require a consideration in assessing whether employees meet this criteria:

*When an employee requests Flex Plus working, employers should evaluate the employees' request based on their likely performance were they to have Flex Plus arrangements in place, and not on their historical performance in the absence of such arrangements*

[Recommendation 22]

We also recommend that employers offer trials of Flex Plus arrangements, to give workers an opportunity to demonstrate their ability to perform to a high level when working from home and at atypical times:

*Where the employer is in doubt as to whether the employee can be trusted to perform their job well if accorded Flex Plus arrangements, Flex Plus should be offered on a temporary basis and withdrawn if the employee's performance falls below expectations*

[Recommendation 23]

### ***Better-skilled, better-involved managers***

It is commonly argued that a lack of management training can hold back disability inclusion. We suggest that two particular types of skills would help with the implementation of Flex Plus working:

*Line managers should receive training in managing remote workers effectively, including in relation to outcomes-based management, effective communication, and team social interaction*

[Recommendation 29]

*Line managers should receive training to increase their understanding of FELCs and how to support workers with such conditions. This training should also be incorporated into broader disability training*

[Recommendation 26]

## Chapter 5. Conclusions and final recommendations

We also argue that line managers should be engaged by default in decisions around reasonable adjustments for Flex Plus working:

*Employers should ensure that when requests for Flex Plus working are referred to Occupational Health, line managers remain centrally involved in these discussions, where appropriate, to ensure they are aware of the details of the adjustments given and that they understand the reasons for them*

[Recommendation 27]

### ***Monitoring outcomes and improving practice over time***

If employers are to develop an understanding of whether the practices they introduce to support the introduction of Flex Plus working are proving effective, it is important they have the relevant data and metrics to track the relevant outcomes.

Therefore, the starting point for employers seeking to increase workplace inclusion for people with FELCs (and disabled workers more broadly) is to gather baseline data regarding the number of disabled people they employ as a percentage of their workforce, and then to gather data over time to ascertain whether this figure is increasing or decreasing:

*Employers should measure and report on an annual basis the percentage of their workforce that is disabled*

[Recommendation 8]

Also important is for employers to collect data on their own use of Flex Plus practices (which often does not happen given such arrangements are sometimes granted on an ad hoc and informal basis), thereby understanding how widely such practices are adopted within the organisation, and facilitating monitoring of their effectiveness:

*When employees are offered Flex Plus arrangements, the organisation should document this and use this information to develop protocols regarding the circumstances in which such arrangements should be offered, and best practice in their implementation*

[Recommendation 1]

## Chapter 5. Conclusions and final recommendations

*Employers should assess and index roles within their organisation that would allow for worktime flexibility over the course of a week (or longer). This would facilitate redeployment if an employee develops a FELC, and return to work following sickness absence*

[Recommendation 15]

Alongside this, we make the following recommendations regarding additional avenues employers might explore in seeking to extend their provision of Flex Plus working:

*Employers should explore whether annualised hours working arrangements provide scope for worktime flexibility for employees with fluctuating conditions*

[Recommendation 16]

*Employers should explore avenues by which employees who need to reduce their hours of work are able to do so. For example, this might involve greater employee multiskilling, which would enable organisations to move staff at short notice into teams with tight deadlines, should a member of that team need to reduce their hours*

[Recommendation 19]

### **Recommendations to employers regarding new hires**

Many of the recommendations to employers regarding extending the provision of Flex Plus working to existing workers outlined above also have implications regarding its provision for new hires. However, there are also some further steps that employers could take specifically around the recruitment and selection process in seeking to provide new hires with Flex Plus arrangements:

*Employers should consider expanding their offer of flexible working as a talent attraction strategy, including the option to work from home all of the time, worktime flexibility and reduced hours*

[Recommendation 30]

*Employers should state in job advertisements the flexible working options they make available to employees*

[Recommendation 31]

## Chapter 5. Conclusions and final recommendations

*Employers should ensure that it is clear to job candidates when they should raise requests for flexible working arrangements, and they should reassure candidates that raising such requests before an offer is made will not impact negatively on their chances of being hired*

[Recommendation 32]

*Employers should ask job candidates whether they wish for any disability-related disclosures (e.g. for the purposes of securing a guaranteed interview, or an adjustment in the hiring process) to also form the basis of a discussion regarding the adjustments they would need should they be successful in securing the role*

[Recommendation 36]

We argue above that employers should offer Flex Plus arrangements on a trial basis to existing employees who develop a FELC to allow them to demonstrate that they are able to perform at a high level if provided with such arrangements. We argue that the same principle should apply to new hires:

*Employers should consider offering Flex Plus arrangements to new hires for a probationary period, thereby giving them the opportunity to prove that they are sufficiently trustworthy and competent to perform the role effectively on a Flex Plus basis*

[Recommendation 35]

Similarly, extending the recommendations above around organisational understanding of FELCs, employers should systematically evaluate demand for Flex Plus arrangement (part-time working in particular) in their local labour market:

*Employers should evaluate how far there is demand for part time roles, rather than assuming such roles are not in demand, and where there is such demand, they should seek to offer a greater number of roles on a part-time basis*

[Recommendation 33]

## Chapter 5. Conclusions and final recommendations

### Recommendations to Government

Most of our recommendations are to employers, but Government action is also crucial in helping incentivise employers to implement Flex Plus working.

As outlined above, it is essential that employers monitor and report the percentage of their workforce that is disabled [Recommendation 8], as this will help them to understand whether the flexible working practices they introduce to help support workers with FELCs are proving effective. Given the importance of this, we recommend:

*The Government should introduce a requirement for all employers with 250+ employees to report the percentage of their workforce that is disabled in the draft Equality (Race and Disability) Bill*

[Recommendation 9]

A further action the government can take is to support the aforementioned recommendation that employers should introduce formalised sickness absence policies that provide a longer sick leave period for disabled employees before triggering absence management policies [Recommendation 17]. As such, we recommend:

*The Government should explore mechanisms for cost sharing of sickness absence with employers (this might involve testing the feasibility of a partial wage subsidy and SSP rebates to offset employer long-term sickness costs)*

[Recommendation 18]

Beyond this, there is an important role for government in helping develop greater understanding regarding Flex Plus working:

*The Government should commission research exploring the benefits of Flex Plus arrangements both for employers and employees*

[Recommendation 11]



## Chapter 5. Conclusions and final recommendations

*The Government should commission research on the drivers of organisational willingness to create reduced hours or part-time roles, and disseminate best practice lessons emanating from this research*

[Recommendation 21]

*The Government should clarify to employers the National Insurance implications of employing two (or more) part-time employee as opposed to a single full-time employee*

[Recommendation 34]

However, in addition to the specific recommendations outlined in the main body of the report, we make a further three recommendations for government action in helping establish Flex Plus working.

First, we argue that the government, via DWP, should support, co-ordinate and evaluate a Flex Plus trial. This might involve working with leading employers to design an intervention aimed at recruiting jobseekers with FELCs into Flex Plus jobs on a pilot basis, without risk to the employer. This would generate an evidence base for what works, the benefits to business, and to form the basis of guidance for other organisations to follow. This would have the added benefit of potentially fostering culture change as employers see at first hand the value that people with FELCs bring to their organisation. Hence, we recommend:

**Recommendation 37:** The Government, via DWP, should support and co-ordinate the trial and evaluation of new practices of job design and recruitment to create Flex Plus opportunities as part of its strategy to increase labour market participation among those with ill-health and disability.

Second, the fortunes of people with FELCs, as one category of disabled people, depend not only on the development of policies focused specifically on people with FELCs, but also on government willingness to implement a broader set of disability employment policies aimed at improving the employment outcomes of disabled people more generally.

## Chapter 5. Conclusions and final recommendations

In our view, the policies the government should implement in this regard are encapsulated within the Disability Employment Charter.<sup>72</sup> This calls on government to introduce a range of policies – some of which overlap with recommendations we make above – including mandatory disability employment and pay gap reporting, reforming the Access to Work and Disability Confident schemes, leveraging of government procurement expenditure to improve disabled people's employment outcomes, an extension of supported internships and supported employment programmes, and various initiatives to encourage greater adoption of workplace adjustments and to ensure disabled people and their representatives' voices are heard within their organisations. The Charter has now been signed by over 240 organisations including all the country's national disability charities, a range of disabled people's organisations, and a growing number of local authorities, NHS Trusts and large private sector employers. Adoption of its proposals would benefit disabled people overall, as well as people with FELCs more specifically.

**Recommendation 38:** The Government should implement the proposals outlined within the Disability Employment Charter.

Finally, as our report makes clear, few people with FELCs are in receipt of the Flex Plus arrangements they require to be able to obtain and remain in employment, hence many remain excluded from the labour market. There has long been a clear need for a welfare system that provides genuine security to people who are unable to obtain employment, but this need is particularly apparent for people who are excluded owing to inaccessible workplaces and employer policy. We therefore recommend:

**Recommendation 39:** The Government should ensure that people with health conditions and disabilities who are excluded from the labour market have a decent, secure standard of living, and dignified and fair treatment from the welfare system.

Appendix

Job applicant  
vignettes

## Appendix. Job applicant vignettes

### Amy, 29

Amy has experience in your sector, and **skills that would be useful** in your organisation.

3 years ago she was **diagnosed with ME/CFS**. The condition substantially limited her energy for physical and mental tasks, and she was too unwell to be redeployed.

Amy's condition has improved and she now wants to return to work, but her energy levels remain limited and her symptoms fluctuate unpredictably.

She needs a job that will allow:

- **Working 16 hours** per week (she may or may not be able to build up those hours very gradually).
- Flexibility to **spread those hours across the week** to accommodate fluctuating symptoms.
- **Working from home** to allow control over pace, rest breaks, and avoiding energy draining travel and sensory overload from office environment. She could attend an office for occasional meetings but **no more than once a month**.

## Appendix. Job applicant vignettes

### Fiona, 45

Fiona worked for 20 years in HR in a global company, most recently as a **senior HR manager**.

She developed **bipolar disorder and PTSD** a year ago partly due to the combined demands of her job and her caring responsibilities, and left her job.

She now **wants to return to a less stressful job**, so that she can better-manage her mental health. The job needs to involve:

- **Working 3 days per week** (she may or may not be able to build up those hours very gradually).
- **Working from home 2 days per week** (so in the office one day)
- **Adjustments to sickness management policy** – because her mental health fluctuates, she is likely to have 20-30 days sickness per year.

### Kamal, 53

Kamal worked as an **accountant** in a highly pressured financial services role. He has longstanding **Crohn's Disease** but left work during a severe flare during which he developed **anxiety and chronic migraine**.

He was offered medical retirement but found that being out of work contributes to anxiety and low mood.

Kamal is looking to use his experience in financial project management in a less pressured role, and needs:

- To work 20 hours per week (to accommodate effects of medication, medical appointments and treatment regimes).
- To work predominantly from home for the same reasons.
- To have an annualised hours contract, to accommodate the possibility of acute Crohn's flare.

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## Endnotes

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## Endnotes

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- 67 This is known as the NICs Secondary Threshold, and refers to the earnings threshold above which the employer pays secondary (employer's) Class 1 National Insurance contributions. Employers are entitled to one secondary threshold per employee. Consequently, if an employer hires one full-time employee, they only benefit from one secondary threshold, whereas if they hire two part-time employees, they benefit from two secondary thresholds. See e.g. <https://pro-taxman.co.uk/nic-advantages-of-part-time-workers-2/>
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